



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/345,668

06/30/1999

JOHN S. DANIEL

36968-179673

1489

7590

08/24/2005

MERCHANT & GOULD P.C.

P.O. BOX 2903

MINNEAPOLIS, MN 55402-0903

EXAMINER

LEVITAN, DMITRY

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

OK

<b>Office Action Summary</b>	<b>Application No.</b> 09/345,668	<b>Applicant(s)</b> DANIEL ET AL.	
	<b>Examiner</b> Dmitry Levitan	<b>Art Unit</b> 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 5, 7 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 7, 9-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2662

Amendment, filed 06/06/05, has been entered. Claims 1, 2, 5, 7, 9-17 remain pending.

***Claim Rejections - 35 USC § 103***

1. Claims 1, 2, 5, 7, 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery (US 6,011,975).
2. Regarding claims 1, 2, 5, 7, 9-12, 14, 16 and 17, Emery teaches a method and a telecom system (Fig. 2) including a wireless system with a mobile switching center (Cellular MC 22 on Fig. 2) and including a wireline network (telephones connected to SSP 11 on Fig. 2 and 11:2-12), wherein wireline units may call each other by using an extension (wired and wireless members of a Centrex group 24:55-64).

The wireline network has a communication element (Integrated Service Control Point ISCP 40 and Signaling Transfer Point STP 31 on Fig. 2, 12:11-13 and 13:17-22) with access to a table with wireline entries (stored data table 25:38-47 with data fields, inherently including routing and destination numbers 13:31-44, because correlation of routing numbers and destination numbers is essential for the system operation) including wireline extension (TCAP routing number) and corresponding wireline directory number (TCAP destination number). Transaction Capabilities Application Part (TCAP) is a protocol utilizing numerous tables including the table with routing and destination numbers entries.

The telecom system includes wireline and wireless units (Fig. 2) where each unit can call the other using an extension (Centrex Group 24:55-64).

The wireless system comprises:

Art Unit: 2662

A. the table with entries for all wireless units (wireless members of the Centrex group 24:55-64), inherently stored in one of communication element/ISCP databases (13:49-62), because storing a number corresponding to an extension is essential for the system operation,

B. the communication element (ISCP 40 and STP 31 on Fig. 2, 12:11-13) comprises the table (TCAP) and being operative to route the call,

C. the MSC of the wireless network (Cellular MC 26 on Fig. 2) being connected to the communication element ( ISCP 40 and STP 31 on Fig. 2) and being operative to access table (TCAP) and route calls (MSC operation is essential to the system, wherein wireless and wireline units are included in the same Centrex Group 24:51-64).

The telecom system is a Centrex network where a caller would dial a limited number of digits and the network would access data in the ISCP to determine the complete destination number (24:55-64).

Emery does not teach storing the table at MSC and the communication element comprising the MSC.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combines the communication element with the MSC in the system of Emery to improve the system connection setup time for the wireless customers if the majority of the Centrex Group are wireless.

In addition, regarding claim 9, Emery teaches qualified wireless and wireline units as the subscribers of a Centrex Group (24:51-64).

In addition, regarding claim 17, Emery teaches communication element not storing the table, comprising instructions to route a call to the corresponding wireless number (switches SSP

Art Unit: 2662

11, 13, etc on Fig. 2 and 11:22-30 routing telephone calls with ISCP instructions 16:55-65 to reach a wireless member of the Centrex Group 24:55-64).

3. Regarding claims 13 and 15, Emery teaches a method and a telecom system (Fig. 2) including a wireless system with a mobile switching center (Cellular MC 22 on Fig. 2), PBX services (10:57-67) and including a wireline network (telephones connected to SSP 11 on Fig. 2 and 11:2-12), wherein wireline units may call each other by using an extension (wired and wireless members of a Centrex group 24:55-64).

The wireline network has a communication element (Integrated Service Control Point ISCP 40 and Signaling Transfer Point STP 31 on Fig. 2, 12:11-13 and 13:17-22) with access to a table with wireline entries (stored data table 25:38-47 with data fields, inherently including routing and destination numbers 13:31-44, because correlation of routing numbers and destination numbers is essential for the system operation) including wireline extension (TCAP routing number) and corresponding wireline directory number (TCAP destination number). Transaction Capabilities Application Part (TCAP) is a protocol utilizing numerous tables including the table with routing and destination numbers entries.

The telecom system includes wireline and wireless units (Fig. 2) where each unit can call the other using an extension (Centrex Group 24:55-64).

The wireless system comprises:

A. the table with entries for all wireless units (wireless members of the Centrex group 24:55-64), inherently stored in one of communication element/ISCP databases (13:49-62), because storing a number corresponding to an extension is essential for the system operation,

B. the communication element (ISCP 40 and STP 31 on Fig. 2, 12:11-13) comprises the table (TCAP) and being operative to route the call,

C. the MSC of the wireless network (Cellular MC 26 on Fig. 2) being connected to the communication element ( ISCP 40 and STP 31 on Fig. 2) and being operative to access table (TCAP) and route calls (MSC operation is essential to the system, wherein wireless and wireline units are included in the same Centrex Group 24:51-64).

The telecom system is a Centrex network where a caller would dial a limited number of digits and the network would access data in the ISCP to determine the complete destination number (24:55-64).

Emery does not teach storing the table in a distributed scheme at each end office, PBX and MSC.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store the table in a distributed scheme at each end office, PBX and MSC in the system of Emery to improve the system connection setup time for all customers and the system reliability, because the distributed scheme will reduce the setup time by faster extension to destination number conversion and a failure of one of the tables will not fail all the Centrex Group.

### ***Response to Arguments***

4. Applicant's arguments filed 06/06/05 have been fully considered but they are not persuasive.

On page 10 of the Response, Applicant argues that ISCP of Emery cannot route calls and therefore different from the claimed communication element.

Art Unit: 2662

Examiner respectfully disagrees.

Claim 1 limitation regarding the communication element's role in routing calls is "the communication element being operative to route the call" (claim 1, lines 19-20) and Examiner interprets this limitation as the communication element is involved or participates in call routing. Integrated service Control Point (ISCP) and Signaling Transfer Point (STP) of Emery are essential for call routing, because they store the information concerning a complete destination number needed to route a call, therefore being operative to route the call, as the actual call routing is performed by the MSC.

On page 10 of the Response, Applicant argues that Emery teaching of ISCP and STP separate from MSC (Mobile Switching Center) teaches away from combining these elements.

Examiner respectfully disagrees.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combines the communication element with the MSC in the system of Emery to improve the system connection setup time for the wireless customers if the majority of the Centrex Group are wireless. See Obvious Design Choice Case on making elements integral In re Larson 144 USPQ 347 (CCPA 1965).

On page 11 of the Response, Applicant argues that ISCP and STP cannot be combined with MSC because the MSC would not store and access the table

Examiner respectfully disagrees.

Art Unit: 2662

Examiner believes that combining ISCP and STP with an MSC will not change the operation of the system, as storing the table in the ISCP element of the MSC and will reduce the delay time for wireless customers call setup.

On page 14 of the Response, Applicant argues that Emery teaching of storing the table at an ISCP teaches away from distributing the table at each end office, PBX and MSC.

Examiner respectfully disagrees.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store the table in a distributed scheme at each end office, PBX and MSC in the system of Emery to improve the system connection setup time for all customers and the system reliability, because the distributed scheme will reduce the setup time by faster extension to destination number conversion and a failure of one of the tables will not fail all the Centrex Group. See Obvious Design Choice Case on making elements separate *Nerwin v. Erlichman* 168 USPQ 177.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is (571) 272-3093. The examiner can normally be reached on 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

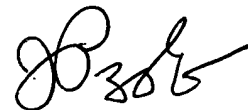


Art Unit: 2662

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dmitry Levitan  
Patent Examiner.  
08/17/05



**JOHN PEZZLO**  
**PRIMARY EXAMINER**